

1

Alan Cortez (GUARD/P)

Case No. 08CEPR01002

Petitioner Sanchez, Salvador (Pro Per – Father – Petitioner)
 Petitioner Cortez, Lucia (Pro Per – Mother – Petitioner)
 Guardian Ramirez, Sandra (Pro Per – Maternal Aunt – Guardian)
 Guardian Vildosola, Jose (Pro Per – Maternal Uncle – Co-Guardian)

Amended Petition for Termination of Guardianship

		See petition for details.	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> Petitioners reside in Los Angeles, CA. 1. Need proof of service of Notice of Hearing at least 15 days prior to the hearing per Probate Code §1460(b)(5) on: - Co-Guardian Jose Vildosola - Paternal Grandfather - Paternal Grandmother - Siblings age 12 or older	
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	Video Receipt			
✓	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10/13/15	
			Updates:	
			Recommendation:	
			File 1 – Cortez	

Attorney: Heather H. Kruthers (for Conservator Public Guardian)

Petition for Authorization and Instruction as to Management of Conservatee's Estate Assets (Authority to Invest Funds)

	PUBLIC GUARDIAN, conservator, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Please see petition for details.	
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	FTB Notice	
		Reviewed by: KT
		Reviewed on: 10/14/15
		Updates:
		Recommendation:
		File 2 – Bethel

3 Cain Blanco, Trinity Blanco and Vanity Blanco (GUARD/P)**Case No. 11CEPR00659**

Petitioner: Oriana S. Blanco (pro per)

Guardian: Rosemary Blanco (pro per)

Petition for Termination of Guardianship

		ORIANA S. BLANCO , mother, is petitioner. Please see petition for details. Court Investigator filed 8/11/15	NEEDS/PROBLEMS/COMMENTS: 1. Need Notice of Hearing. 2. Need proof of service of the Notice of Hearing on: a. Rosemary Blanco (guardian) b. Anthony Blanco (father) c. Cain Blanco (minor) d. Trinity Blanco (minor) e. Jesse Blanco (paternal grandfather) f. Joe Rodriguez (maternal grandfather) g. Grace Amerino (maternal grandmother)	
Cont. from 081815, 091515				
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	Objections			
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✓	Order			
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	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
Reviewed by: KT				
Reviewed on: 10/14/15				
Updates:				
Recommendation:				
File 3 – Blanco				

4 Ben H. Smith & Dorothy Jean Smith (CONS/PE) Case No. 11CEPR00782

Attorney Krbechek, Randolph (for Mike "Butch" Smith, Jr. – grandson/Petitioner)
Attorney Amador, Catherine A (for Michael H. Smith, Sr. – son)
Attorney Kruthers, Heather H (for Public Guardian – Conservator)

Petition for Attorney's Fees

		CATHERINE AMADOR , attorney for MICHAEL H. SMITH, SR. ("Mike"), son, is Petitioner.	NEEDS/PROBLEMS/COMMENTS: This petition pertains to the Conservatorship of Ben Smith.
		PUBLIC GUARDIAN was appointed Conservator of the Person and Estate on 01/18/13.	
Cont. from 090815			CONTINUED FROM 09/08/15 Minute Order from 09/08/15 states: Mr. Krbechek objects and requests time to file additional documents; the Court sets his due date at 09/23/15. Any reply from Ms. Amador is due by 10/05/15.
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		Petitioner states that she has represented Mike since May 2012 when he and his daughter Jenna Smith ("Jenna") hired her to attempt to resolve issues of isolation and neglect of BEN H. SMITH ("Ben"). At that time, Ben was living in his own residence with his grandson Michael H. Smith, Jr. ("Butch") and Butch's mother. Ben's wife DOROTHY JEAN SMITH ("Jean") had recently been conserved and was residing in a nursing facility at that time. Petitioner attempted to resolve numerous issues which arose between Mike and Jenna and other family members and friends on one hand and Butch on the other. Petitioner requests fees in connection with the representation of Mike and Jenna throughout the numerous hearings and proceedings that were held during the pendency of this matter. Petitioner asks that she be paid from the conservatorship estate for 68.6 hours @ \$250/hr. equaling \$17,150.00 as reasonable compensation for the services performed and provided, plus reimbursement for costs in the amount of \$891.00 for a total request of \$18,041.00. Services are itemized by date and include preparation of documents, meetings with clients, correspondence/working with County Counsel and Counsel for the Conservatee, attendance at hearings. Continued on Page 2	

Reviewed by: JF

Reviewed on: 10/14/15

Updates:

Recommendation:

File 4 – Smith

Verified Opposition to Petition for Attorney's Fees filed 09/04/15 by Mike (Butch) Smith, Jr. states: The Petition for Attorney's fees is premature because no inventory & appraisal has been filed in the conservatorship estate and there is no petition for settlement of either conservatorship estate. Petitioner's client, Michael Smith, Sr. never served as conservator in this matter, and as a result, Ms. Amador never served as attorney to the conservator. Not less than \$12,925.00 of the requested fees were incurred after the public guardian had been appointed as conservator, Objector disputes all of those fees and requests an evidentiary hearing. The bottom line in both of these conservatorship matters is that this is a dispute between father (Michael Smith, Sr.) and son (Butch Smith), the court needs testimony to evaluate the history between the parties and the motivation for the conservatorship proceeding started by Michael Smith, Sr.

Supplemental Memorandum of Points & Authorities in Opposition to Petition for Attorney's Fees filed 09/23/15 by Mike (Butch) Smith, Jr. states:

- The Court does not have legal authority to award the fees requested by Ms. Amador because she was not engaged by Ben Smith and was not hired or appointed by the Court. Ms. Amador seeks recovery of fees for services allegedly provided for the benefit of Ben Smith, but she had no contract with Ben Smith to provide services. She is effectively asking the court to establish an implied contract between her and the conservatee.
- The Petition is time barred by the statute of limitations pursuant to Code of Civil Procedure 366.2, which establishes an overarching one-year statute of limitations for claims against a decedent. Ben Smith died on 06/28/14 and written notice of death was provided to Ms. Amador. Ms. Amador filed her petition on 07/28/15 and is therefore time-barred.
- Attorney's fees can only be awarded when authorized by contract or statute. The statute does not authorize the recovery sought by Ms. Amador. Ms. Amador may be seeking relief on a common law, implied-in-law contract, but such ground for relief is not specified – only Probate Code § 2640. Probate Code § 2647 states, "No attorney fees may be paid from the estate of the [] conservatee without prior court order. The estate of the [] conservatee is not obligated to pay attorney fees established by any engagement agreement or other contract until it has been approved by the court. Even if there was authority in case law for the relief sought by Ms. Amador, and even if she had stated appropriate grounds for relief in her moving papers, the claim would still be time-barred because it was filed more than one year after the date of death. Accordingly, the claim should be denied.

Response to Objections to Petition for Attorney's Fees filed 10/01/15 by Catherine Amador states:

- Butch asserts that the fee Petition is premature on the ground that there are two "intertwined" conservatorship proceedings involving Ben and Jean. Butch asserts, without authority, that "all of the claims and counterclaims should be settled together. Thus the petition [for attorney's fees] is premature and should not be heard at this time." Probate Code § 2642 provides that an attorney who has provided legal services to the guardian or conservator of the person or estate, or both, may petition the Court for compensation for such services at any time permitted by Probate Code § 2640. Letters issued to the Public Guardian as Conservator of the person and estate for Ben on 02/13/13. The inventory & appraisal was filed on 02/26/14, therefore, this Petition is not premature.
- The Petition was prepared by petitioner Catherine Amador. She is the only person petitioning the Court. She verified the Petition.
- The inventory & appraisal was filed on 02/26/14. It is irrelevant that no accounting has been filed. There is no requirement that an accounting be filed before a request for attorney's fees for services rendered to the conservator can be presented pursuant to Probate Code § 2642, and Butch has presented no authority to suggest this is the case.

Continued on Page 3

- Butch is correct in stating that Probate Code § 2640 does not provide authority for Petitioner to request payment of attorney's fees in this circumstance, and Petitioner's moving papers incorrectly referred to that statute. However, Probate Code § 2642 does provide authority to support Petitioner's request for fees. As noted above, Probate Code § 2642 provides that an attorney who has provided legal services to the conservator of the person or estate may petition the Court for compensation for such services. The fact that the services provided by Petitioner were useful to the Conservator is probably best evidenced by the fact that neither the Public Guardian nor County Counsel have objected to a single item in Petitioner's Fee Petition.
- Petitioner has not requested fees addressing the allocation of assets. The items referred to in Butch's objection involve other issues. The timing of the entries makes them unlikely to involve the allocation of assets between the estates of Ben and Jean. Jean passed away barely a month before this and the Public Guardian's Final Account would not be due for 45 days. Ben's conservatorship petition was still pending. The allocation of assets between the two estates is still pending today, three years later.
- Probate Code § 2642 provides for payment of attorney's fees where an attorney has rendered services to the conservator and does not limit the time when services rendered by the attorney to the conservator must be compensated. This case has been an unusual case. Petitioner and her client Mike, found themselves in an unusually cooperative relationship with the Public Guardian and County Counsel when Mike was serving as conservator of the Person for Jean and the Public Guardian was conservator of the estate. Initially, Mike was residing in the marital residence and collected information to assist the Public Guardian with paying Jean's bills, identifying assets and completing the inventory & appraisal. It continued as the family and Public Guardian grappled with Butch's efforts to obtain money from Jean in the last months of her life. During that time, Butch moved Ben back into the marital residence, isolated him from family and friends, and started collecting rents from the tenants of the community's estate's rental properties. Thereafter, suspicions arose that Butch was misusing funds given to him by the Public Guardian for Ben's needs, and misusing the marital residence in relation to his tire recycling business. Again, the Public Guardian and County Counsel's office worked closely with Petitioner and Mike to collect information regarding these issues. The work done by Petitioner and Mike after Ben's conservatorship was established followed a similar pattern. County Counsel specifically requested Petitioner to bring the Petitions to terminate Butch's authority to make medical decisions for Ben in both 2013 and 2014, due to the problems the Public Guardian's caregivers were having with Butch.
- The Fee Petition does not involve a personal dispute. Petitioner, who is not related to Butch and has no personal relationship with him, does not seek fees because of a personal dispute with him. Petitioner seeks fees, under Probate Code § 2642, on the ground that her work provided legitimate assistance to the conservator. The fact that much of the work was driven by Butch's actions is irrelevant for the purposes of the Court's analysis of this fee petition. The only question the court needs to address is whether the specific work in question assisted the conservator, and the Counsel's lack of objection to the Petition, or any specific item within the billing indicates that.
- Butch argues the Public Guardian will eventually make a claim for fees for itself and its own counsel, and therefore the Court does not have sufficient evidence to make an informed decision about the reasonableness of the fees requested by Petitioner. This does not make sense. Whether or not Petitioner's fees are reasonable depends on the work done, the time spent, the hourly rate charged, and whether the work assisted the conservator. Petitioner notes that the fees requested are substantially lower than those requested by and awarded to Ben's own attorney, who participated in the same events but did far fewer tasks.

Continued on Page 4

- Butch argues that the Court will need to take evidence to evaluate the degree of success obtained by Petitioner and whether the fees sought are fair and reasonable in relation to the relief she obtained. In support of this statement, he asserts, incorrectly, that Mike's Petition to have the Public Guardian appointed Conservator of Ben's person and estate was denied on 01/18/13. In fact, the Petition was granted. Butch present no authority for this argument, misstates facts and does not describe the type of evidence he believes the Court would need to hear in order to evaluate the fees requested by Petitioner. Petitioner can find no statute or rule which requires the presentation of a showing of a winning record, in fact, Probate Code § 2640.1 specifically provides for the payment of attorney's fees from a conservatee's estate for an unsuccessful petition. Probate Code § 2642 does not include language requiring that the court determine the petition be found to have been filed in the best interests of the conservatee. It simply requires that the work was rendered to the conservator.
- Petitioner respectfully requests that the Court consider her fee Petition under Probate Code § 2642 and notes that neither the Public Guardian nor County Counsel have objected. Petitioner sees no basis for the request for an evidentiary hearing and has found no authority for the suggestion that fees would be appropriate only for that work resulting in a "win". The fee Petition is not premature, and there are no claims which require to be resolved at this time which would prevent the Court from addressing the fee petition on its own merits.

Reply Memorandum of Points and Authorities in Opposition to Petition for Attorney's Fees filed 10/09/15 by Mike "Butch" Smith, Jr. states:

- Ms. Amador was engaged to act as the attorney for Michael H. Smith, Sr. She was not engaged by Benjamin H. Smith, now was she engaged by Fresno County Counsel. Thus her claim is not based on contract, but on statute. Specifically Probate Code § 2642 which provides that an attorney who has provided legal services to the guardian or conservator of the person or estate, or both, may petition the Court for compensation for such services. According to the statute, the Court has the power to award fees to the attorney that rendered services to the conservator. The court does not have the statutory power to award attorney's fees to other person(s). Ms. Amador's client, Michael H. Smith, Sr. did not serve as conservator of the person or estate of Ben Smith. Further, her client did not petition for appointment as conservator. The Public Guardian was appointed as the conservator of the person and estate, subject to the durable power of attorney for health care decisions. Ms. Amador did not "render services to the conservator". Accordingly, as a matter of law, the court does not have the authority to award attorney's fees to Ms. Amador and her claim should be denied.

Attorney Melinda Bell, of San Juan Capistrano (for Petitioner Jana Keeley, mother)

Attorney Fee Request of Attorney for the Guardian of the Estate

		<p>MELINDA S. BELL, is the Attorney for JANA KEELEY.</p> <p>JANA KEELEY, mother, was appointed as Guardian of the Estate with deposits of \$151,118.83 into a blocked account on 9/15/2015. <i>Letters of Guardianship of the Estate</i> issued 10/5/2015.</p> <p>Order Appointing Guardian filed 9/15/2015 finds the request for attorney's fees and costs are continued to 10/20/2015.</p> <p>Declaration of Melinda S. Bell, Esq., in Support of Fee Request filed on 9/28/2015 states:</p> <ul style="list-style-type: none"> • She has been retained by Petitioner Jana Keeley in this matter; her legal services agreement calls for attorney fees to be paid at \$350.00 per hour; her hourly fee is reasonable based upon her experience and the nature and complexity of the services rendered to the trust [sic]; • She has attached a detailed invoice for the Court's review which includes dates of all legal services rendered; • She has rendered no less than 12.75 hours in reviewing documents, communicating with life insurance companies and retirement benefits departments to obtain information on assets due the minor, researching and drafting documents and pleadings and appearing at hearings; • She drafted pleadings in connection with the <i>Petition for Order to Dispose of Minor's Money</i>, points and authorities in support thereof, as well as all documents in connection with the establishment of a Guardianship of the Estate, all for the benefit of Aiyanna Katigbak; <p align="center">~Please see additional page~</p>	<p>NEEDS/PROBLEMS/COMMENTS: Continued from 9/15/2015. <i>Minute Order</i> states counsel represents that the insurance funds have not yet been received; approximates 60 days to obtain the funds. The Court grants the petition, but specifically disallows the \$202.00 in CourtCall fees, the \$35.00 in attorney service fees, and the \$17.50 in email fees, for a total disallowance of \$254.50. The Court orders that any monies received are to be deposited into a blocked account. The matter is continued as to the attorney fees only; Ms. Bell is to submit a declaration as to the changes in the requested fees no later than 10/13/2015.</p> <p>1. Need proposed order as to the attorney fee request pursuant to Local Rule 7.1.1 (F). (Note: Proposed Order for <i>Withdrawal of Funds from Blocked Account</i> authorizing withdrawal of \$5,290.00 to payee Melinda S. Bell has been lodged and placed in the file for Court's review.)</p> <p>~Please see additional page~</p>
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Reviewed by: LEG
Reviewed on: 10/14/15
Updates:
Recommendation:
File 5 – Katigbak

Declaration of Melinda S. Bell, Esq., in Support of Fee Request filed on 9/28/2015, continued:

- Her fees for those services referenced in paragraph 4 [of this Declaration] and set forth in detail in the attached invoice are **\$4,420.00** and are reasonable in light of the extent and nature of the services performed;
- She has advanced costs for Aiyanna's filing fees in the amount of **\$870.00**;
- She requests the Court fix and allow the payment of **\$4,420.00** for legal services rendered and reimbursement of actual expenses in the amount of **\$870.00**, and order Petitioner to pay said fees totaling **\$5,290.00** from the blocked account with authorization from this Court for the withdrawal;
- She has prepared the *Order for Withdrawal of Funds from Blocked Account* and has lodged it with the Court for its review and approval.

Attorney requests the Court authorize withdrawal from the blocked account of a total of \$5,290.00 for attorney fees and reimbursement of costs advanced.

Notes for background Re Previous Petitions:

- ***Petition for Order to Dispose of Minor's Money* was filed by Petitioner in Case Number 15CEPR00062 on 1/16/2015**, seeking an order to deposit into a blocked account the same funds that are currently the subject of Guardianship of the Estate subsequently established on 9/15/2015. ***Minute Order* dated 4/8/2015** from the hearing on the *Petition for Order to Dispose of Minor's Money* denies and dismisses the petition, and states: The Court finds that a Guardianship of the Estate is required and indicates the intention to grant it. Counsel requests that the new petition be filed into this same case [15CEPR00062], and she is directed to inquire with the Clerk's office. *Petition for Appointment of Guardian of the Estate* was appropriately filed on 8/5/2015 in Case **12CEPR00375**, which had lengthy litigation history, with the ***Order After Court Trial* dated 9/3/2013** [Judge Oliver] finding in most pertinent part that all parties agreed that the guardianship [of the person] shall be terminated.

Notes for background Re Previous Attorney Fee Request as part of Petition for Guardianship:

- ***Petition for Appointment of Guardian of the Estate* filed 8/5/2015 requests** additional orders for payment for legal services rendered to the estate of the minor, such that the Court order that the estate shall pay to Attorney Melinda Bell the sum of **\$5,217.50**, and payment of reimbursement of costs advanced by Melinda Bell for filing fees, attorney service fees, Courtcall fees, and postage fees in the amount of **\$1,157.33**, for total payment of the attorney of **\$6,374.83**.
- ***Declaration of Melinda S. Bell in Support of Fee Request* filed 8/5/2015** itemizes that the **\$6,374.83** total consists of charges of **\$3,502.50** for **9.95** hours of services rendered at **\$350.00** per hour, stating that the **9.95** hours includes work in connection with the [*Petition for Order to Dispose of Minor's Money* filed on 1/16/2015 in Case 15CEPR00062], the points and authorities in support, as well as all documents in connection with establishment of a Guardianship of the Estate, all for the benefit of Aiyanna Katigbak. *Declaration* also includes charges for anticipated time to complete the matter, consisting of **4.9** hours at **\$350.00** per hour for emailing, filing fees check and documents, reviewing and responding to probate notes, preparing and serving notice of hearing, preparing for and attending hearing, etc., for a total of **\$1,715.00** in anticipated time.
- Local Rule 7.16(B)(1) provides the Court will allow a flat fee of **\$2,500.00** without itemization for attorney services for the establishment of a guardianship and preparation of the first account, payable upon settling the account.

~Please see additional page~

Dept. 303, 9:00 a.m. Tuesday, October 20, 2015

Notes Re Future Hearings:

- Probate Status Hearing **is set** on **12/15/2015 at 9:00 a.m. in Dept. 303** for proof of funds deposited into a blocked account.
- The Court will set the following additional Probate Status Hearings:
 - **Thursday, February 18, 2016 at 9:00 a.m. in Dept. 303** for the filing of the final inventory and appraisal; and
 - **Thursday, December 15, 2016 at 9:00 a.m. in Dept. 303** for the filing of the first account of the Guardianship Estate.

Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.

**Second Amended Account Current and Report of Conservator; Petition of Conservator
Petition for its Settlement, for Allowance of Attorneys Compensation and for its Termination**

		DEBRA PASLEY , Mother and Conservator of the Person and Estate with bond of \$15,000.00, is Petitioner. <i>(Not verified.)</i>	NEEDS/PROBLEMS/COMMENTS: Minute Order 9/15/15: NO APPEARANCES. Mr. Hastrup or a firm representative is ordered to be personally present in court on 10/20/15. As of 10/13/15, nothing further has been filed. <u>Note: A Substitution of Attorney has not been filed; therefore, Mara M. Erlach remains attorney of record.</u> <p align="center"><u>SEE ADDITIONAL PAGES</u></p>
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✓	Inventory		
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	Notice of Hrg	x	
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	Citation		
	FTB Notice		

Account period: 3/28/13 – 10/17/14
Accounting: Not provided
 Beginning POH: \$13,438.31
 Ending POH: \$70,195.61
 (\$1,715.61 plus a 1/5 interest in real property in Virginia valued at \$68,480.00)

Petitioner states: Inventory and Appraisal was filed 6/5/13 showing the value of the estate to be \$13,438.31. Summary of account and supporting schedules are provided at Exhibit B. (See #1.)

As reflected in prior pleadings, the Conservator and Conservatee moved out of state. The Conservator was appointed Guardian of the Conservatee in Oklahoma by Court order and Letters issued on 8/13/14.

Petitioner does not request compensation for her services.

Petitioner requests attorney's compensation as set forth in Exhibit "C." (See #3.)

Petitioner prays:

1. That this account and report be approved and settled;
2. That the acts of the Conservator shown in the account and report be approved;
3. That, upon settlement of this account, the Conservator be directed to pay her attorneys, McCormick Barstow, LLP, compensation for services rendered and, as yet, unpaid;
4. That the Conservatorship in California be terminated; and
5. That the Court grant such other and further relief as it deems just and proper.

Reviewed by: skc
Reviewed on: 10/13/15
Updates:
Recommendation:
File 6 – Pasley

Page 2 – NEEDS/PROBLEMS/COMMENTS:

1. This petition does not provide any accounting in the form required by Probate Code §§ 2620, 1060, or any mandatory schedules on the required Judicial Council forms.

Need amended petition with accounting, schedules, including required mandatory form for summary. Although Petitioner has been appointed Guardian in Oklahoma, this Court retains jurisdiction for settling accounts pursuant to Probate Code §2630.

The only schedule provided at Exhibit B is a statement of property on hand, labeled as “receipts,” but which does not show any account summary, receipts, disbursements, etc., and further indicates that the conservatorship estate cash has been reduced by \$11,722.70 without explanation.

Note: The Conservatee’s interest in the Virginia real property is not an asset of this conservatorship estate, but should be referenced in its own schedule pursuant to §1063(h).

2. This petition is not verified by the Conservator as required by Probate Code §§ 1021, 1023.
(Note: §1023 provides that an attorney may sign or verify on a client’s behalf if he or she is absent from the county unless the person is a fiduciary appointing in the proceeding.)
3. Petitioner requests attorney’s compensation pursuant to Exhibit C, but no Exhibit C is attached.
4. Need Notice of Hearing.
5. Need proof of service of Notice of Hearing at least 15 days prior to the hearing pursuant to Probate Code §1460(b)(6) on:
 - Morgan Elizabeth Pasley (Conservatee)
 - Debra Pasley (Conservator/Fiduciary, since the petition is not verified by her)
 - David Hal Jones (Father)
6. *The Court may also require notice to the surety of any continued or future hearings.*

First Account and Report of Conservator; Allowing Fees to Conservator of the Estate and Attorney for Conservator, Allowing Conservator to Invade Conservatee's 401(k) Plan to Assist in Providing for Conservatee's Care and Finding that Conservatee Lacks the Ability to Vote

		BETTY FARMER , Mother and Conservator of the Person and Estate with bond of \$61,250.00, is Petitioner.	NEEDS/PROBLEMS/ COMMENTS: <u>SEE ADDITIONAL PAGES</u> Note: If granted, the Court will set a status hearing for the filing of the next account as follows: - Tuesday, June 21, 2016 if a one-year account is required <u>or</u> - Tuesday, June 20, 2017 if a two-year account is required.
		Account period: 3/26/14 – 3/31/15 Accounting: \$165,739.31 Beginning POH: \$138,586.82 Ending POH: \$130,404.23 (\$113,067.23 cash plus non-cash assets including a 100% interest in misc. personal property and a 50% community property interest in two vehicles)	
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	Citation		
	FTB Notice		
		Conservator states \$13,264.75 has been reimbursed to Petitioner during account period representing less than a one-third share of household expenses, and is far less per month than a full time care facility or an apartment, assuming she could care for herself.	
		Conservator requests compensation of \$30,000.00 for 10-14 hours per day caring for the Conservatee at a minimum of \$100/day (\$7.14/hr) for the care and assistance provided during all waking hours.	
		Attorney: \$15,643.38 (\$14,753.00 for 64.10 attorney/ associate hours @ \$195-275/hr, plus \$890.38 in costs including photocopies, postage, mileage, other costs advanced. Note: \$9,689.63 has already been paid to the attorney by Petitioner from her own funds. \$5,063.37 remains due to the attorney and Conservator requests reimbursement of the \$9,689.63.	
		Petitioner states at appointment she was a co-holder of an account with Comerica Bank on behalf of the Conservatee, which received Conservatee's Social Security benefits. All funds in this account are Conservatee's and have never been commingled with Petitioner's funds. Petitioner will take steps to convert this account to the name of the conservatorship estate prior to hearing on this matter. Petitioner now realizes that the Comerica account was inadvertently not inventoried on the Inventory and Appraisal; however, all transactions are detailed in this account and statement are provided.	
		<u>SEE ADDITIONAL PAGES</u>	
			Reviewed by: skc Reviewed on: 10/15/15 Updates: Recommendation: File 7 - Hendricks

Page 2

Petitioner states she personally deposited \$3,000.00 of her own funds in order to open the Bank of the West account because she believed she was supposed to open a separate account and did not wish to take funds from the Comerica account to do so. The Comerica account was not a checking account, but a debit account. *[Examiner's Note: This amount has been reimbursed to Petitioner per Schedule C.]*

Petitioner states the Inventory and Appraisal filed with the Court identified the Conservatee's 401k plan from CVS Pharmacy earned by the Conservatee in part during her marriage to her current husband, Jeffrey Hendricks. The value at that time was estimated by telephonic access to be \$102,349.28. Subsequent to filing the I&A, Petitioner received a Participant Statement which shows a balance as of 12/31/14 of \$104,973.25. Personal oral requests and written requests from counsel to CVS Future Fund requesting a written account balance as of 3/31/15 went unanswered. This Amended First Account will use the financial data set forth in the statement dated 12/31/14 for continuity.

Petitioner states the two vehicles noted in the I&A as owned 50% by the Conservatee are in the possession of Conservatee's husband as the Conservatee does not drive.

Petitioner states the Court has inquired as to several gifts provided by the Conservatee over the past year. *(Prior Examiner Notes requested clarification re approx. \$350.00 used for gifts during the account period with reference to Duties of Conservator.)* Petitioner states the gifts were to close family on special days, including a mother's day bouquet. If the court desires the money be returned, she will reimburse the conservatorship.

Petitioner states that additional costs of part-time in-home care has resulted in a monthly negative cash flow scenario, as Teresa's social security disability payments will not completely cover her required care. This negative cash flow has eroded Conservatee's excess liquid cash to the point that only a few more month of excess cash remain to cover her expenses. In light of this fact, Petitioner requests the Court issue an order directing the trustee or custodian of Teresa's CVS Caremark Future Funds 401k Plan to allow Conservator access to the 401k proceeds to care for Conservatee. She believes the 401k Plan funds are community property assets but can and should be used for the care, maintenance and support of Conservatee. Attorney Logoluso's declaration states he does not believe accessing these funds subject's Conservatee to IRS penalties for early withdrawal in light of Conservatee's obvious need for appropriate care. Authority cited.

Petitioner requests that:

1. The Court find that Notice of Hearing of this account, report and petition was given as required by law;
2. The Court make an order approving, allowing and settling the attached account and report of Conservator as filed;
3. The Court authorize Petitioner to pay herself \$30,000.00 as compensation for services rendered as Conservator of the estate and person during the accounting period;
4. The Court authorize Petitioner to reimburse herself \$9,689.63 for costs and fees associated with the creation of the conservatorship;
5. The Court authorize Petitioner to pay her attorneys \$5,063.37 for legal services rendered during the accounting period;
6. The Court issue an order allowing for the use of Conservatee's 401k plan proceeds be authorized by the Court to be utilized for the payment of institutionalized care for Conservatee;
7. The Court order that Conservatee is not able to complete an affidavit of voter registration in accordance with Elections Code §2150, and is not entitled to vote; and
8. The Court make such other relief as it considers proper.

SEE ADDITIONAL PAGES

Page 3 - NEEDS/PROBLEMS/COMMENTS:

1. The Court may require proof of titling the Comerica account in the name of the conservatorship estate as noted in the petition.
2. Petitioner reimbursed herself for expenses associated with the conservatorship in the amount of \$13,264.75 without Court authorization in violation of Probate Code §2640 (noticed petition required) and Cal. Rules of Court 7.751, 7.752, 7.755.
3. Attorney requests a total of \$15,643.38 in fees and costs, and has already received and accepted payment of \$9,689.63 in violation of Probate Code §2640 (noticed petition required) and Cal. Rules of Court 7.751, 7.752, 7.755, etc.

Petitioner clarifies that the payment was made by Petitioner personally and not from the conservatorship estate, and Petitioner is now requesting authorization to reimburse herself for that amount; however, this does not negate the fact that the attorney received payment for services in connection with the establishment of the conservatorship without prior Court authorization.

4. Further, the Court may require clarification with regard to the total amount of attorney's fees requested with reference to Probate Code §2640 as to how this amount is just and reasonable given the value and status of the conservatorship estate. See amount authorized by Local Rule 7.16 for comparison.
5. Similarly, the Court may require clarification as to how compensation to Petitioner of \$30,000.00 is just and reasonable given the value and status of the conservatorship estate, and may require
6. Total Disbursements exceed receipts by over \$11,000.00. Petitioner requests to invade the Conservatee's 401k plan to continue to provide the level of care required by the Conservatee; however, given the Conservatee's income level, given the amount available within the 401k account, and given the amount of compensation that is requested by both the Conservator herein, the attorney herein, and future needs, the Court may require further clarification regarding the level of spending for misc. items, clothes, etc., and may require a budget going forward.
7. The Court may require further additional information regarding Petitioner's request to invade the Conservatee's 401k account for the cost of the Conservatee's care. Attorney Logoluso notes that he does not believe there will be tax penalties; however, the petition also states this account may be community property of the Conservatee's marriage, although it was inventoried as hers alone. Specifically, the Court may require clarification as to whether input may be necessary from the Conservatee's spouse of over 25 years, Jeffrey Hendricks.
8. Petitioner explains that the two vehicles owned conservatorship estate assets remain in possession of the Conservatee's husband. The Court may require clarification regarding how the vehicles are titled, and given that they are not in Conservator's possession, may require clarification regarding potential liability to the conservatorship estate.
9. Attorney requests reimbursement for costs that are considered by the Court to be costs of doing business and not reimbursable pursuant to Local Rule 7.17, including photocopies, postage, travel costs. The Court may strike \$45.38 from the order for the following items:
 - \$22.20 photocopies
 - \$11.88 postage
 - \$11.30 mileage
10. Bond: If access to the 401k is granted, bond will need to be increased. Examiner calculates that bond should be increased to at least \$168,139.82 or an increase of \$106,889.82, calculated based on the value of all assets at the close of the account period plus income including Social Security and dividends as noted in Receipts.

8 Marva R. Simen (Estate) Case No. 13CEPR01058**Attorney Dornay, Val J. (for Dawn Stillings – Petitioner – Administrator)****First and Final Account and Report of Administrator and Petition for its Settlement,
for Allowance of Statutory Fees and Commission and for Final Distribution**

DOD: 10/17/2013	DAWN STILLINGS , Administrator with full IAEA authority, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
	Account Period: 10/17/2013 – 08/15/2015	
Cont. from	Accounting - \$150,000.00	
Aff.Sub.Wit.	Beginning POH - \$150,000.00	
<input checked="" type="checkbox"/> Verified	Ending POH - \$103,557.53	
<input checked="" type="checkbox"/> Inventory	Executor (statutory) - \$4,900.00	
<input checked="" type="checkbox"/> PTC		
<input checked="" type="checkbox"/> Not.Cred.	Attorney (statutory) - \$4,900.00	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail w/	Closing costs - \$2,500.00	
Aff.Pub.		
Sp.Ntc.	Distribution, pursuant to intestate succession, is to:	
Pers.Serv.		
Conf. Screen		
<input checked="" type="checkbox"/> Letters 1/28/14	Angie Hernandez - \$17,394.24 (less funeral expenses paid out of pocket by Administrator).	
Duties/Supp	Dawn Stillings - \$18,465.83	
Objections	Cherie Wilsey - \$18,465.83	
Video Receipt	Lynette Wilsey - \$18,465.83	
CI Report	John McGrath - \$18,465.83	
<input checked="" type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
<input checked="" type="checkbox"/> FTB Notice		
		Reviewed by: lv
		Reviewed on: 10/15/2015
		Updates:
		Recommendation: Submitted
		File 8 - Simen

		MARK D. EDWARDS , Petitioner, represented the co-conservators in their petition for appointment as Conservator.	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 07/08/15</u> Minute Order from 07/08/15 states: The Court will approve \$4,000.00 on account; if the First Account is filed timely, the Court will consider granting the balance of the fees on 10/20/15. Mr. Edwards will submit an order. <u>Note:</u> Order allowing for Partial Payment of Attorney's Fees was signed and filed 07/21/15. <u>Note:</u> First Account was filed 09/23/15; see page 9B. Inventory & Appraisal filed 02/26/15 - \$2,152,798.38
Cont. from 061715, 070815			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg	JOHANNES F. SCHOEMAKER and CATHARINA M. VANDPAVERT , non-relatives (long-time friends), were appointed Co-Conservators of the Person and Estate on 08/19/14 with bond fixed at \$2,000,000.00. Bond filed 09/03/14 and Letters issued on 09/03/14. Petitioner requests fees in connection with his representation of the Co-Conservators in the Petition for Appointment of Conservator. Petitioner asks that he be paid from the conservatorship estate for 34.9 hours @ \$250/hr. plus a filing fee of \$435.00 for a total of \$9,160.00. Services are itemized by date and include preparation of documents, visits with client, and court appearances.	
✓	Aff.Mail		w/o
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: JF Reviewed on: 10/15/15 Updates: Recommendation: File 9A - Matsumura

First Account and Report of Conservator; Petition for Allowance of Fees to Attorney for Conservator, and for Order Finding that Conservatee is not Able to Vote

		JOHANNES F. SCHOEMAKER and CATHARINA M. VANDEPAVERT , Co-Conservators, are Petitioners.		NEEDS/PROBLEMS/COMMENTS:	
		Account period: 09/03/14 – 08/31/15			
		Accounting: \$2,374,419.11			
		Beginning POH: \$2,291,272.31			
		Ending POH: \$2,220,890.38			
		Conservator: waived			
		Attorney: \$5,225.00 (Total value of services (including fees requested in his Petition for Attorney's Fees (page 9A) are \$9,225.00, which includes an additional \$500.00 for preparation of this accounting. Attorney acknowledges receipt of \$4,000.00 as partial payment, therefore leaving the balance remaining as \$5,225.00).			
		Current bond of \$2,000,000.00 is not sufficient. Petitioners request that bond should be increased to \$2,375,000.00.			
		Petitioners request that future accountings run through 09/30 for each accounting period so that third quarter statements can be easily obtained.			
		Petitioners pray for an Order:			
		1. Approving, allowing and settling the first account;			
		2. Authorizing payment of the attorney's fees;			
		3. Ratifying and approving the automatic reinvestment plan for capital gains and dividends earned in the following accounts: Ameriprise Active Portfolio acct. ending in 0-133 and Citi Personal Wealth Management acct. ending in 4574;			
		4. Confirming that the conservatee is disqualified from voting;			
		5. Directing conservators to obtain a supplemental bond in the amount of \$375,000.00; and			
		6. Directing that subsequent accounting periods end on the last day of September for each period in which an account is due.			
Cont. from					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
✓	Aff.Mail	w/o			
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	2620(c)				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
				Note: Status hearings will be set as follows:	
				<ul style="list-style-type: none">• Tuesday, December 1, 2015 at 9:00am in Dept. 303 for filing of the increased bond; and• Monday, November 13, 2017 at 9:00am in Dept. 303 for filing of the second account.	
				Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter, the status hearing will come off calendar and no appearance will be required.	
				Reviewed by: JF	
				Reviewed on: 10/15/15	
				Updates:	
				Recommendation:	
				File 9B - Matsumura	

10 Sylvia Valencia (Estate) Case No. 14CEPR00857

Attorney Rodriguez, Frankie (for Primavera Damme – Administrator)

Probate Status Hearing RE: Filing of the Inventory and Appraisal

DOD: 08/01/2013	PRIMAVERA DAMME , daughter, was appointed Executor with Full IAEA with bond of \$175,000.00 on 4/14/2015.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR.</u> <u>Final Inventory and Appraisal filed 10/14/2015.</u>
Cont. from 091515	Receipt of Bond filed in the amount of \$175,000.00.	
Aff.Sub.Wit.	Letters issued on 09/08/2015.	Reviewed by: LV Reviewed on: 09/10/2015 Updates: Recommendation: File 10 – Valencia
Verified	Minute Order dated 4/14/2015 from the hearing on the petition for letters of administration set the matter for a Status Hearing on 09/15/2015 for filing of the Inventory and Appraisal.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

**Waiver of Accounting and Petition for Final Distribution under Will and for
Allowance of Statutory Fees and Commissions**

DOD: 7/24/14		NATALIE STAMM , Executor, is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Accounting is waived.	
Cont. from		I & A - \$182,450.61	
		POH - \$ 46,747.02	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Attorney (statutory) - \$6,803.52	
<input checked="" type="checkbox"/>	Inventory		
<input checked="" type="checkbox"/>	PTC	Executor (statutory) - \$6,803.52	
<input checked="" type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Closing - \$2,500.00	
<input checked="" type="checkbox"/>	Aff.Mail	Distribution, pursuant to Decedent's Will, is to:	
	W/		
	Aff.Pub.		
	Sp.Ntc.	Natalie Stamm - \$10,213.33	
	Pers.Serv.		
	Conf. Screen	George Hoico - \$10,213.33	
<input checked="" type="checkbox"/>	Letters	11/17/14 Charmaine Chandler - \$10,213.33	
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
<input checked="" type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
<input checked="" type="checkbox"/>	FTB Notice		
			Reviewed by: KT
			Reviewed on: 10/15/15
			Updates:
			Recommendation: SUBMITTED
			File 11 – Hioco

First and Final Report of Administration on Waiver of Account and Petition for Allowance of Compensation to Attorneys for Ordinary and Extraordinary Services, and for Final Distribution

DOD: 1/23/15		<p>CHRISTOPHER B. DAVIS, Son and Administrator with Full IAEA with bond of \$525,000.00, is Petitioner.</p> <p>Petitioner is the sole heir and waives account.</p> <p>I&A: \$525,000.00 POH: \$121,794.09 cash plus real property (2 residential properties)</p> <p>Administrator (Statutory): Waives</p> <p>Attorney (Statutory): 12,539.22</p> <p>Attorney (Extraordinary): \$2,827.50 (for 8.7 hours @ \$325/hr for services in connection with removal of tenants from the properties and sale of one of the properties)</p> <p>Distribution pursuant to intestate succession:</p> <p>Christopher B. Davis: Entire estate (\$106,427.37 plus real property)</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
✓	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			<p>Reviewed by: skc</p> <p>Reviewed on: 10/14/15</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 12 – Davis</p>	

DOD: 2/15/15			JOY ELAINE JOHNSON , Executor, is petitioner.			NEEDS/PROBLEMS/COMMENTS:		
			Accounting is waived.					
Cont. from			I & A - \$230,000.00					
Aff.Sub.Wit.			POH - \$169,772.47					
<input checked="" type="checkbox"/>	Verified		Attorney (statutory) - \$7,380.00					
<input checked="" type="checkbox"/>	Inventory		Executor - waives					
<input checked="" type="checkbox"/>	PTC		Distribution, pursuant to Decedent's Will, is to:					
<input checked="" type="checkbox"/>	Not.Cred.		Joy Elaine Johnson as Trustee of the Billye Von Blasingame Living Trust - \$162,392.47					
<input checked="" type="checkbox"/>	Notice of Hrg							
<input checked="" type="checkbox"/>	Aff.Mail	W/						
	Aff.Pub.							
	Sp.Ntc.							
	Pers.Serv.							
	Conf. Screen							
<input checked="" type="checkbox"/>	Letters	4/20/15						
	Duties/Supp							
	Objections							
	Video Receipt							
	CI Report							
<input checked="" type="checkbox"/>	9202							
<input checked="" type="checkbox"/>	Order							
	Aff. Posting							
	Status Rpt							
	UCCJEA							
	Citation							
<input checked="" type="checkbox"/>	FTB Notice							
						Reviewed by: KT		
						Reviewed on: 10/14/15		
						Updates:		
						Recommendation: SUBMITTED		
						File 13 – Blasingame		

14 Josefin PeManuel Galleto (Estate) Case No. 15CEPR00255

Petitioner Lao, Jeanette Galleto (Pro Per - Administrator)

Probate Status Hearing RE: Proof of Bond

DOD: 9/21/2014	JEANETTE GALLETO LAO , daughter, was appointed Administrator with Full IAEA Authority with bond set at \$182,000 on 09/15/2015.	NEEDS/PROBLEMS/COMMENTS: 1. Need receipt for Bond in the amount of \$182,000.00 or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Final Inventory and Appraisal filed 09/18/2015 shows an estate valued at \$85,000.00.	
Aff.Sub.Wit.	Minute Order of 09/15/2015 set this Status Hearing for the filing of Proof of Bond.	
Verified		
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LV
		Reviewed on: 10/14/2015
		Updates:
		Recommendation:
		File 14 – Galleto

15 Matthew H. Tange (Estate) Case No. 15CEPR00270**Attorney Willoughby, Hugh W (for Christopher Tange – Administrator)****Probate Status Hearing RE: Filing of the Inventory and Appraisal**

DOD: 08/10/2014	CHRISTOPHER TANGE , was appointed Administrator with full IAEA authority with bond set at \$150,000.00 on 05/19/2015.	NEEDS/PROBLEMS/COMMENTS: 1. Need Inventory and Appraisal or current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties.
Cont. from	Receipt of Bond filed on 05/19/2015 in the amount of \$150,000.00.	
Aff.Sub.Wit.	Letters issued on 05/29/2015	Reviewed by: LV Reviewed on: 10/14/2015 Updates: Recommendation: File 15 – Tange
Verified	Minute Order of 05/19/2015 set this Status Hearing for the filing of the Inventory and Appraisal.	
Inventory		
PTC		
Not.Cred.		
Notice of Hrg		
Aff.Mail	Status Report filed 10/08/2015 states the sole asset of this estate consists of the decedent's intestate share of the estate of his late father, Ted Tange, as his sole heir at law. Ted Tange's estate is pending administration in this Court as Case no. 15CEPR00591. Christopher Tange is the Administrator of both estates, having been appointed in Ted Tange's estate on 07/22/2015; the undersigned is the attorney for Christopher in both matters.	
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report	No Inventory has been filed in this estate for the reason Administrator has not yet completed an Inventory and Appraisal for the estate of the father which is believed to consist of both real and personal property of unknown values at present. Once an Inventory and Appraisal is completed in Ted Tange's (the father's) estate an accurate Inventory and Appraisal can be prepared for this estate. For the forgoing reasons, an additional 90 days is requested in order to complete an file the Inventories in both the estates.	
9202		
Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		

16 Elias Verduzco and Jayden Verduzco (GUARD/P) Case No. 15CEPR00409Petitioner **Chavez, Blanca (Pro Per – Paternal Grandmother – Petitioner)****Petition for Appointment of Guardian of the Person (Prob. Code §1510)**

	See petition for details.		NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> This Petition pertains to Jayden only. Petitioner was appointed guardian of Elias on 6/22/15. <u>Minute Order 9/22/15:</u> The Court finds that Michelle Galvan, mother, was noticed as directed by the Court. The matter is continued for proof of service as to Luis Galvan only. As of 10/13/15, nothing further has been filed. The following issue remains noted: 1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing per Probate Code §1511 on: - Luis Galvan (Maternal Grandfather)
Cont. from 092215			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
Reviewed by: skc			
Reviewed on: 10/13/15			
Updates:			
Recommendation:			
File 16 – Verduzco			

17
Petitioner

Jerome Brown, JR (GUARD/P)
Arlene Jones Hawkins (Pro Per – Paternal Grandmother – Petitioner)

Case No. 15CEPR00472

Petition for Appointment of Guardian of the Person (Prob. Code §1510)

See petition for details.			NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> All notice issues have now been cured.
Cont. from 070715, 081115, 092215			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail	W	
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	W	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		
			Reviewed by: skc
			Reviewed on: 10/13/15
			Updates:
			Recommendation:
			File 17 – Brown

Attorney Thomasito del Castillo (for Petitioners Sheila Chatman, Ronald Chatman, Jr., and Maurice Chatman)

Amended Petition to Determine Succession to Real Property

DOD: 5/11/2011	<p>SHEILA CHATMAN, RONALD CHATMAN, JR., and MAURICE CHATMAN, grandchildren, are Petitioners.</p> <p>40 days since DOD.</p> <p>No other proceedings.</p> <p>I & A - \$65,000.00</p> <p>Will dated 12/31/2007 devises the residue of the estate to the Petitioners in equal shares.</p> <p>Petitioners request Court determination that Decedent's 100% interest in real property located at 1214 Bennet Way, Sanger, passes to the Petitioners at 1/3 interest to each pursuant to Decedent's Will.</p>	NEEDS/PROBLEMS/COMMENTS:
Cont. from 082415		
Aff.Sub.Wit.		
✓ Verified		
✓ Inventory		
PTC		
Not.Cred.		
✓ Notice of Hrg		
✓ Aff.Mail W/		
Aff.Pub.		
Sp.Ntc.		
Pers.Serv.		
Conf. Screen		
Letters		
Duties/Supp		
Objections		
Video Receipt		
CI Report		
9202		
✓ Order		
Aff. Posting		
Status Rpt		
UCCJEA		
Citation		
FTB Notice		
		Reviewed by: LEG
		Reviewed on: 10/15/15
		Updates:
		Recommendation: SUBMITTED
		File 18 – Gonzalez

Petition for Appointment of Guardian of the Person

			THERE IS NO TEMPORARY. Temporary was denied.		NEEDS/PROBLEMS/COMMENTS:	
Cont. from 092215						
	Aff.Sub.Wit.					
✓	Verified				1. Need proof of personal service of the Notice of Hearing along with a copy of the petition or Consent and Waiver of Notice on: a. Julio Espuro (father) – <i>unless the court dispenses with notice.</i>	
	Inventory					
	PTC					
	Not.Cred.					
✓	Notice of Hrg				2. Need proof of service of the Notice of Hearing long with a copy of the petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Paternal grandparents – <i>unless the court dispenses with notice.</i> b. Carol Mike Mattinson (maternal grandfather) – <i>unless the court dispenses with notice.</i>	
	Aff.Mail	X				
	Aff.Pub.					
	Sp.Ntc.					
✓	Pers.Serv.	W/				
✓	Conf. Screen					
✓	Letters					
✓	Duties/Supp					
	Objections					
	Video Receipt					
✓	CI Report					
	9202					
✓	Order					
	Aff. Posting					
	Status Rpt					
✓	UCCJEA					
	Citation					
	FTB Notice					
			LUIS J. FLORES , former step-father, is petitioner. Please see petition for details. Court Investigator Report filed on 9/15/15			
					Reviewed by: KT	
					Reviewed on: 10/14/15	
					Updates:	
					Recommendation:	
					File 19 – Castell	

Attorney Teixeira, J. Stanley (for Petitioners Phillip W. Meyer and Elaine Meyer)

Petition for Appointment of Probate Conservator of the Person

		NO TEMPORARY REQUESTED	NEEDS/PROBLEMS/COMMENTS:
		PHILLIP W. MEYER and ELAINE MEYER , parents, are Petitioners and request appointment as Conservator of the Person with medical consent powers.	Court Investigator Advised Rights on 9/1/2015.
			Voting Rights Affected – Need Minute Order.
Cont. from 092215		~Please see Petition for details~	Continued from 9/22/2015. Minute Order dated 9/22/2015 states counsel requests 30 days to address the defects.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Court Investigator's Report was filed on 9/3/2015.	The following issue from the last hearing remains:
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	Cap. Dec.	X	<ol style="list-style-type: none"> <i>Petition requests medical consent powers. Need Medical Capacity Declaration in support of Petitioner's request pursuant to Probate Code § 1890(c).</i>
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg		
<input checked="" type="checkbox"/>	Aff.Mail	W/	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input checked="" type="checkbox"/>	Pers.Serv.		
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		<p>Note: Ex Parte Order Re Completion of Capacity Declaration – HIPPA was filed on 9/25/2015. It appears based upon this filing that the Capacity Declaration may be in the process of completion.</p> <p>Note: Declaration of Howard Glidden, Ph.D., was filed confidentially on 10/16/2016.</p> <p>Declaration of J. Stanley Teixeira filed 10/19/2015 states that contrary to any assertions or inferences in [the Declaration of Dr. Glidden filed 10/16/2015], it has never been stated by Mr. Teixeira or his assistant that Dr. Glidden would have to testify in this matter.</p>
<input checked="" type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input checked="" type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LEG
			Reviewed on: 10/15/15
			Updates: 10/19/15
			Recommendation:
			File 20 – Meyer

21 Evelyn Villarreal (GUARD/P) Case No. 15CEPR00804

Petitioner Barra, Monique Marie (Pro Per – Maternal Aunt)

Petitioner Martinez, Yvette (Pro Per – Maternal Aunt)

Petition for Appointment of Guardian of the Person

		<u>TEMPORARY EXPIRES 10/20/2015</u>	NEEDS/PROBLEMS/COMMENTS:	
		MONIQUE MARIE BARRA and YVETTE MARTINEZ, maternal aunts, are petitioners. <u>Please see petition for details</u>		
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			w/
	Aff.Pub.			
	Sp.Ntc.			
✓	Pers.Serv.			w/
✓	Conf. Screen			
✓	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: LV	
			Reviewed on: 10/14/2015	
			Updates:	
			Recommendation:	
			File 21 – Villarreal	

Petitioner Morgan, Vanjie Michelle (Pro Per – Maternal Grandmother)

Petition for Appointment of Guardian of the Person

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		VANJIE MICHELLE MORGAN , maternal grandmother, is petitioner.	1. Need Notice of Hearing.
		<u>Please see petition for details</u>	2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Father of Autim (Unknown) • Father of Davon (Unknown)
Cont. from			3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none"> • Paternal Grandparents of Autim (Unknown) • Paternal Grandparents of (Davon) • John Morgan (Maternal Grandfather)
<input type="checkbox"/>	Aff.Sub.Wit.		4. Natasha Morgan, mother, signed the Consent and Waiver of Notice form on 04/23/2015; four months prior to the petition being filed. The Court may inquire as to whether the mother still consents to the guardianship.
<input checked="" type="checkbox"/>	Verified		Reviewed by: LV
<input type="checkbox"/>	Inventory		Reviewed on: 10/14/2015
<input type="checkbox"/>	PTC		Updates:
<input type="checkbox"/>	Not.Cred.		Recommendation:
<input type="checkbox"/>	Notice of Hrg	X	File 22 - Morgan
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	X	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

23 Lei'Lani Shabazz (GUARD/P) Case No. 15CEPR00817**Petitioner McCray, Andriette Brezel (Pro Per – Maternal Grandmother)****Petition for Appointment of Guardian of the Person**

		<u>NO TEMPORARY REQUESTED</u>	NEEDS/PROBLEMS/COMMENTS:
		ANDRIETTE BREZEL MCCRAY , maternal grandmother, is petitioner.	1. Need Notice of Hearing.
		<u>Please see petition for details</u>	2. Need proof of personal service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Father (Unknown)
Cont. from			3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for: <ul style="list-style-type: none">• Paternal Grandparents (Unknown)
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Mail	<input checked="" type="checkbox"/>	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	<input checked="" type="checkbox"/>	
<input checked="" type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input checked="" type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: LV
			Reviewed on: 10/15/2015
			Updates:
			Recommendation:
			File 23 – Shabazz

23

24 Wyoma Ruth Lewis (Estate)**Case No. 15CEPR00875****Attorney: Philip M. Flanigan (for Petitioner Darrell Lewis)****Objector: Gerald Lewis (pro per)****Petition for Letters of Administration. Authorization to Administer Under the Independent Administration of Estates Act**

DOD: 8/22/15	DARRELL LEWIS , son, is petitioner and requests appointment as Administrator.		NEEDS/PROBLEMS/COMMENTS:
	Full IAEA – o.k.		
	Decedent died intestate.		1. Petition does not address bond. Bond should be set at \$156,000.00.
Cont. from	Residence: Fresno		
<input type="checkbox"/> Aff.Sub.Wit.	Publication: Fresno Business Journal		Note: If the petition is granted, status hearings will be set as follows:
<input checked="" type="checkbox"/> Verified			
<input type="checkbox"/> Inventory	Estimated value of the Estate:		<ul style="list-style-type: none"> Wednesday, November 18, 2015 at 9:00 a.m. in Department 303, for the filing of the bond, if required. Wednesday, March 23, 2016 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Wednesday, December 14, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution.
<input type="checkbox"/> PTC	Real property - \$156,000.00		
<input type="checkbox"/> Not.Cred.	Probate Referee: Rick Smith		Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
<input type="checkbox"/> Notice of Hrg	Objections of Gerald Lewis, son, with POS filed on 10/13/15		
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/> W/		Reviewed by: KT Reviewed on: 10/14/15 Updates: Recommendation: File 24 – Lewis
<input checked="" type="checkbox"/> Aff.Pub.	<input type="checkbox"/>		
<input type="checkbox"/> Sp.Ntc.	<input type="checkbox"/>		
<input type="checkbox"/> Pers.Serv.	<input type="checkbox"/>		
<input type="checkbox"/> Conf. Screen	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Letters	<input type="checkbox"/>		
<input type="checkbox"/> Duties/Supp	<input type="checkbox"/>		
<input type="checkbox"/> Objections	<input type="checkbox"/>		
<input type="checkbox"/> Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/> CI Report	<input type="checkbox"/>		
<input type="checkbox"/> 9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Order	<input type="checkbox"/>		
<input type="checkbox"/> Aff. Posting	<input type="checkbox"/>		
<input type="checkbox"/> Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		

ACK ALLEN VANCE and **CHRIS** **NEEDS/PRO**

DOD: 12/18/14		<p>JACK ALLEN VANCE and CHRIS VANCE, sons, are petitioners.</p> <p>40 days since DOD.</p> <p>Proceedings have been commenced and completed in Comanche County, Oklahoma.</p> <p>Decedent died intestate owning real property located in Fresno County.</p> <p>I & A - \$145,250.00</p> <p>Petitioner's request Court Determination that Decedent's 41½% interest in real property located in Fresno County pass to them in equal shares pursuant to intestate succession.</p>	NEEDS/PROBLEMS/COMMENTS:	
Cont. from				
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
		Reviewed by: KT Reviewed on: 10/14/15 Updates: Recommendation: SUBMITTED File 25 – Mattoon		

Petition to Determine Succession to Real Property and Personal Property

DOD: 3/6/14		ROSEMARY HERNANDEZ FLORES, MARIA LOUISA BACA, PATRICIA ANN MEDINA, and ERNESTO VALENTINE BACA , children of the decedent, are petitioners. 40 days since DOD. No other proceedings. Decedent died intestate. I & A - \$130,000.00 Petitioners request Court determination that Decedent's 100% interest in real property and cash in the sum of \$5,000 pass to them in equal shares pursuant to intestate succession.	NEEDS/PROBLEMS/COMMENTS:	
	Aff.Sub.Wit.			
✓	Verified			
	Inventory			
	PTC			
	Not.Cred.			
✓	Notice of Hrg			
✓	Aff.Mail			W/
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.			
	Conf. Screen			
	Letters			
	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			
			Reviewed by: KT	
			Reviewed on: 10/15/15	
			Updates: 10/16/15 (skc)	
			Recommendation: SUBMITTED	
			File 26 - Baca	